

REMARKS

Claims 12-16 and 22 were rejected under 35 USC 112 ((¶ 1) because the Examiner stated the claims contained subject matter that was not described in the specification. Specifically, the Examiner objected to the term 'non-ferrous'. The applicant has removed the term 'non-ferrous' from the claims.

Claims 12, 14-15, 17, 19-20 and 22 were rejected under 35 USC § 102(b) as being anticipated by US Pat. No. 5,335,366 to Daniels. Claims 13 and 16 have **NOT** been rejected using prior art. Thus, Applicant has included the language of claim 13 into independent claim 12. It is applicant's belief that amended claim 12 is now allowable as are all claims depending therefrom.

Claims 17 – 22 were also rejected under 35 USC § 102(b) as being anticipated by US Pat. Appl. Publ. 2003/0040345 to Berger.

Berger is specifically limited to using a magnetically absorptive material placed within one wavelength of the antenna base. (see, ¶ [0017]). Berger details the use of high permeability magnetically absorptive materials. These materials are dominated by ferrites.

In contrast, the present application broadly emphasizes using "high-impedance" coating materials to reduce near field electro-magnetic wave scattering occurring at abrupt discontinuities of metallized areas within the housing of a portable wireless device. The scope of the present application encompasses electrically conductive and resistive materials as opposed to magnetically absorptive ferrous materials.

The present application is not limited to areas surrounding the base of the antenna element. Instead, it is intended to be applied at the edges of the PCB or metallized housings within the portable wireless device. These locations constitute abrupt discontinuities that are susceptible to increased undesirable electro-magnetic wave scattering effects.

In addition, the present application emphasizes the attenuation of the electric fields within the housing of a portable wireless device. In contrast, Berger is designed solely to attenuate magnetic currents at the base of the antenna associated with a portable wireless device. In general, electric fields are maximum where the magnetic currents are minimum and magnetic currents are maximum where electric fields are minimum. Thus, Berger does not

anticipate the effects of electric field scattering near the edges of the mobile phone. At these locations, the magnetic currents are zero (or minimum). This means that Berger will likely be ineffective at the locations described in the present application.

In sum, Berger uses different materials to solve a different problem. The disclosure of Berger does not read on or suggest the approach taken by the claims in the present application. Berger is directed toward a magnetic field problem at the base of an antenna while the present application is directed toward electric fields existing at the edges of metallized areas within the mobile phone, not just the antenna. The source of the electromagnetic waves in the present invention is considered to be metallized areas within the housing of the mobile phone and the impedance layer is placed between the metallized areas and the user's hearing aid. The same can not be said of Berger where the source of the magnetic waves is the mobile phone antenna.

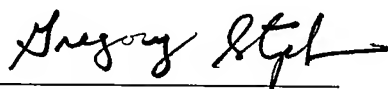
The Applicants believe they have responded to all of the concerns raised by the Examiner. Reconsideration of this application as amended is hereby respectfully requested.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

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